



## Legislation Details (With Text)

**File #:** 09-1019      **Version:** 1      **Name:** 11/05/09 CVS-209 S State Site Plan  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 11/5/2009      **In control:** City Council  
**On agenda:** 11/5/2009      **Final action:** 11/5/2009  
**Enactment date:** 11/5/2009      **Enactment #:** R-09-437  
**Title:** Resolution to Approve CVS Pharmacy Site Plan, 209 South State Street, (CPC Recommendation: Approved - 6 Yeas and 0 Nays)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 209 S State-CVS-Staff Report.pdf

Date	Ver.	Action By	Action	Result
11/5/2009	1	City Council	Held and Closed	
11/5/2009	1	City Council	Approved	Pass

Resolution to Approve CVS Pharmacy Site Plan, 209 South State Street, (CPC Recommendation: Approved - 6 Yeas and 0 Nays)

Attached is a resolution to approve the CVS Pharmacy Site Plan. Approval of this resolution will allow for demolition of the existing building behind the front facade, retain and restore the front facade and construct a new building behind it. Included as part of the site plan is a request to meet the bicycle parking requirement of one space in the public right-of-way.

The Historic District Commission issued a certificate of appropriateness for this work on June 11, 2009. The City Planning Commission recommended approval of the petition at its meeting of September 15, 2009, subject to recording an ingress/egress easement prior to issuance of building permits, providing a storm water management system maintenance plan on the site plan, and demonstrating protection of the street tree fronting the site on the site plan. Revised plans have been received that provide an acceptable storm water management system maintenance plan and street tree protection.

### Petition Summary:

- The existing two-story building will be demolished, except for its historic front facade, and a new building of similar size will be constructed behind the historic front facade. The cornice of the existing front facade will be extended an additional three feet, increasing the total height of the street wall to 34 feet (from 31 feet). The new building will contain 13,040 square feet.
- The site plan was reviewed for compliance with the standards of the C2A Central Business District (which were in effect at the time of the Planning Commission's recommendation) and the D1 Downtown Core District, State Street Character Area Overlay District and a Primary Street Frontage (which are under consideration at the time of Council action). The only difference between the applicable standards is one off-street bicycle parking space; otherwise,

the proposed site plan complies with all the applicable standards of the C2A district and the A2D2 zoning and parking amendments.

- The petitioner has requested Council approval to allow the one required off-street bicycle parking space to be provided in the public right-of-way.

Attachments: September 15, 2009 Planning Commission Minutes  
Planning Staff Report

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Reviewed by: Wendy L. Rampson, Interim Planning & Development Services Manager  
Jayne Miller, Community Services Area Administrator

Whereas, Modina Holdings, LLC has requested site plan approval in order to construct a new two-story 13,040-square foot building behind the existing historic facade at 209 South State Street;

Whereas, The Historic District Commission, on June 11, 2009, issued a certificate of appropriateness to demolish the existing building behind the front facade, retain and restore the front facade, and construct a new building on the existing footprint behind the front facade;

Whereas, The City Planning Commission, on September 15, 2009, recommended approval of said request, subject to recording an ingress/egress easement prior to issuance of building permits, and providing a storm water management system maintenance plan and demonstrating street tree protection on the site plan;

Whereas, Revised plans have been received that provide an acceptable storm water management system maintenance plan and demonstrate street tree protection;

Whereas, One off-street bicycle parking space is required, which the petitioner requests be installed in the public right-of-way, and is part of the site plan;

Whereas, The contemplated development would comply with all applicable state, local, and federal law, ordinances, standards and regulations;

Whereas, The contemplated development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety and welfare;

RESOLVED, That City Council approve the placement of the required off-street bicycle parking in the public right-of-way, as shown on the site plan; and

RESOLVED, That City Council approve the CVS Pharmacy Site Plan, dated October 6, 2009, subject to recording an ingress/egress easement prior to issuance of building permits.